



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

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S.B. 302

132nd General Assembly
(As Introduced)

Sens. Tavares, Sykes, Brown, Williams, Schiavoni, O'Brien

BILL SUMMARY

Health and Equity in All Policies review process for bills

- Requires the staff of the Legislative Service Commission (LSC) to review each bill introduced in the General Assembly under a Health and Equity in All Policies review process and prepare a health impact statement concerning the bill.
- Requires the health impact statement to analyze whether the bill might have a positive, negative, or neutral impact on certain factors concerning health, health equity, and the social determinants of health.

Health impact statements for administrative rules

- Requires that when a state agency files an administrative rule with the Joint Committee on Agency Rule Review (JCARR), the agency must submit a health impact statement concerning the rule that analyzes the same factors as for bills.

Health and Equity in All Policies Initiative Advisory Board

- Creates the Health and Equity in All Policies Advisory Board for the purpose of providing guidance and analysis and reporting the Board's recommendations concerning the impact and effectiveness of the LSC review process for bills.
- Specifies that the Board consists of 15 members, who represent certain state agencies and private organizations, with seven members appointed by the Governor and two members appointed by each of the House and Senate majority and minority leaders.
- Requires the Board to issue an annual summary report concerning LSC's health impact statements and any recommendations concerning LSC's review process.

- Requires the Board to issue a biennial report in each even-numbered year that summarizes LSC's activities under the review process and discusses such matters as the status of Ohio's major health indicators and the potential return on investment of the LSC review process.

Health and Equity Interagency Team

- Creates the Health and Equity Interagency Team in the Department of Health for the purpose of ensuring collaboration among all state agencies, and requires every state agency to appoint a liaison to the Team.
- Specifies duties for the Team, including coordinating between state agencies to address health and health equity factors impacted by the social determinants of health.
- Requires the Team annually to submit a state health and health equity report to the Health and Equity in All Policies Initiative Advisory Board.

CONTENT AND OPERATION

Health and Equity in All Policies review process for bills

The bill requires the staff of the Legislative Service Commission (LSC) to create and comply with a Health and Equity in All Policies review process. Under the process, LSC must review each bill introduced in the General Assembly on or after the effective date of S.B. 302 and prepare a health impact statement concerning the bill not later than four weeks after the bill is introduced. The statement must analyze whether the bill might have a positive, negative, or neutral impact on any of the following:

- The health of Ohioans;
- The accomplishment of health equity in Ohio;
- The health or health equity of specific populations or persons residing in specific geographic areas in Ohio;
- The social determinants of health for the most vulnerable populations in Ohio.

The bill provides the following definitions for the terms used above and throughout the bill:¹

¹ R.C. 103.13 and 103.132.

- "Health" means the state of a natural person's physical, mental, and social well-being and is not limited to the absence of disease or infirmity.
- "Health equity" means the absence of avoidable or remediable differences in health outcomes among groups of people based on social, economic, geographic, or other demographic factors.
- "The social determinants of health" include economic stability, neighborhood and physical environment, education, food security, community and social context, and access to health care.

Health impact statements for administrative rules

Similarly, the bill requires that when, under continuing law, a state agency files an administrative rule with the Joint Committee on Agency Rule Review (JCARR), the agency must submit a health impact statement concerning the rule. The statement must analyze whether the rule might have a positive, negative, or neutral impact on any of the following:

- The health of Ohioans;
- The accomplishment of health equity in Ohio;
- The health or health equity of specific populations or persons residing in specific geographic areas in Ohio;
- The social determinants of health for the most vulnerable populations in Ohio.

The agency must file the statement, on a form prescribed by JCARR, in electronic form along with the proposed or unchanged rule, in the same manner as agencies currently must submit certain other documents, such as fiscal analyses, when they file rules with JCARR. JCARR must not accept the rule for filing unless it is accompanied by a complete and accurate health impact statement.²

Health and Equity in All Policies Initiative Advisory Board

The bill creates the Health and Equity in All Policies Initiative Advisory Board for the purpose of providing guidance and analysis and reporting the Board's

² R.C. 106.031, 111.15, 119.03, and 127.181.

recommendations concerning the impact and effectiveness of the Health and Equity in All Policies review process for bills conducted by LSC.³

Membership and organization

The Board consists of the following 15 members:

- One representative of each of the following entities, appointed by the Governor:
 - The Commission on Minority Health;
 - The Department of Medicaid;
 - The Governor's Office of Appalachian Ohio;
 - The Department of Veterans Services;
 - The Department of Job and Family Services;
 - The Ohio Public Transit Association;
 - The Ohio Environmental Council.
- One representative of each of the following entities, appointed by the Senate President:
 - The Ohio Education Association;
 - The Kirwan Institute for the Study of Race and Ethnicity.
- One representative of each of the following entities, appointed by the Senate Minority Leader:
 - Ohio Partners for Affordable Energy;
 - Children's Defense Fund – Ohio.
- One representative of each of the following entities, appointed by the Speaker of the House of Representatives:
 - The Ohio Home Builders Association;

³ R.C. 103.133(A).

- The Ohio Association of Community Health Centers.
- One representative of each of the following entities, appointed by the House Minority Leader:
 - The Ohio Public Health Association;
 - Children's Hunger Alliance.

Members of the Board must serve without compensation, but must be reimbursed for the actual and necessary expenses incurred in the performance of their official duties. The Board must select a chairperson by a majority vote and must meet at least twice each year.⁴

Annual summary report

Not later than December 31 of each year, the bill requires the Board to issue an annual summary report concerning the health impact statements issued by LSC during that calendar year. In preparing the report, the Board must select and review a sampling of health impact statements issued during the year. The report must include any recommendations concerning the Health and Equity in All Policies review process for bills, including any recommendations for changes to the process that, in the opinion of the Board, would improve the impact of the statements in accomplishing health and health equity goals in Ohio or among specific populations or in specific geographic areas in Ohio.

The Board must transmit copies of the report to the Director of LSC, to the President and Minority Leader of the Senate, and to the Speaker and Minority Leader of the House of Representatives. The Board also must transmit a copy of the report to the Director of Health, who must make it available to the public on the Department of Health's official website.⁵

Biennial report

Further, not later than December 31 of each even-numbered year, the Board must issue a biennial report that summarizes LSC's activities under the bill during the preceding two calendar years, the manner in which those activities relate to the statewide health outcomes experienced during the preceding two calendar years, and the status of Ohio's major health indicators, as outlined in the State Health Improvement Plan issued by the Department of Health or its successor document. The

⁴ R.C. 103.133(B), (C), and (D).

⁵ R.C. 103.133(E).

report must include the findings of the Board concerning the potential financial return on investment of the Health and Equity in All Policies review process for bills with respect to the health-related policies or programs reviewed. The Board must distribute copies of the report in the same manner as its annual summary reports, as described above.⁶

Health and Equity Interagency Team

Finally, the bill creates the Health and Equity Interagency Team in the Department of Health for the purpose of ensuring collaboration among all state agencies. The Department of Health must administer the team, and each state agency must appoint a liaison to the team. "State agency" means every organized body, office, agency, institution, or other entity established by the laws of Ohio for the exercise of any function of state government.

The Team must do all of the following:

- Work across the state government to coordinate resources and implement strategies to address health and health equity factors impacted by the social determinants of health;
- Create links between various policy areas;
- Build new partnerships to promote health and health equity;
- Develop common metrics of success for health outcomes among disparate populations and for increased government efficiency.

Not later than December 31 of each year, the Team must submit a state health and health equity report to the Health and Equity in All Policies Initiative Advisory Board. The Team also must transmit a copy of the report to the Director of Health, who must make it available to the public on the Department of Health's official website.⁷

HISTORY

ACTION	DATE
Introduced	05-23-18

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⁶ R.C. 103.133(F).

⁷ R.C. 3701.36.

